

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-19128 - APPLICANT: FLETCHER JONES
MANAGEMENT GROUP, INC. - OWNER: FLETCHER JONES, SR. TRUST**

**** CONDITIONS ****

The Planning Commission (5-0-1/rt vote) and Staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-20175) to a GC (General Commercial) land use designation approved by the City Council.
2. The Recordation of an appropriate map to create one lot or an administrative joining consolidating the five associated parcels on the site prior to issuance of any building or grading permits.
3. A Resolution of Intent with a two-year time limit is hereby granted.

Public Works

4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans, the issuance of any building or grading permits, or the submittal of a map for this site, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Rezoning from the R-3 (Medium-Density Residential) zoning District to the C-2 (General Commercial) zoning District on a 0.25 acre parcel located on the north side of Alta Drive, west of Decatur Boulevard. This parcel is currently operated as a part of an existing automobile dealership. The dealership consists of five parcels, which the applicant seeks to remap as a one-lot commercial subdivision.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
4/12/61	The Board of Commissioners of the City of Las Vegas approved the Rezoning (Z- 53-60) of Lots 3 through 7, Block 1, of Charleston Heights #7 from R-4 (High Density Residential) to R-3 (Medium Density Residential).
10/14/65	The City Planning Commission approved the Rezoning (Z-0058-65) of property legally described as the south 660 feet of the east 756 feet of the northeast half of section 36, Township 20 South, Range 60 MDB&M, and generally located on the northwest corner of Alta Drive and Decatur Boulevard from R-1 (Single Family Residential) to C-2 (General Commercial)
04/12/07	The Planning Commission voted 5-0-1/rt to recommend APPROVAL (PC Agenda Item #49/lhm).
	The Planning Commission recommended approval of companion item GPA-20175 concurrently with this application.
<i>Related Building Permits/Business Licenses</i>	
10/03/01	Business License #A16-00136: "Bill Heard Chevrolet" For Auto Sales & Service. <u>NOTE</u> : This license is addressed to 444 S. Decatur Boulevard and is located on a separate parcel.
<i>Pre-Application Meeting</i>	
02/08/07	The applicant met with staff regarding the requirements for Rezoning APN 138-36-713-028 require a Master Plan category of GC (General Commercial) to allow the proper zoning district of C-2. Applicant intends to remap lots via a Merger and Re-subdivision map and create a one lot commercial subdivision.
<i>Neighborhood Meeting</i>	
03/15/07	LV Municipal Golf Course, 4300 W. Washington-Meeting was held at 5:30pm with no members of the public attending. Applicant may hold another meeting at the end of the month.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.25 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot for Automobile Dealership	SC (Service Commercial)	R-3 (Medium Density Residential)
North	James Downs Tower (Senior Apts)	H (High Density Residential) & GC (General Commercial)	R-5(Apartment) C-2 (General Commercial)
South	Alta Drive / Offices and Retail	SC (Service Commercial)	C-1 (Limited Commercial)
East	Parking Lot for Automobile Dealership	GC (General Commercial)	C-2 (General Commercial)
West	Undeveloped	SC (Service Commercial)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	NA
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

A-O Airport Overlay District

The subject site is not affected by the 200-foot height restriction.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA		NA
Min. Lot Width	100 feet	107 feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	20 feet 10 feet 15 feet 20 feet	75 feet 25 feet NA 0 feet	Y Y NA N
Max. Lot Coverage	50%	5%	Y
Max. Building Height	NA	15 feet	Y
Trash Enclosure	Screened & Covered	None shown	NA
Mech. Equipment	Screened & Covered	None shown	NA

Pursuant to Title 19.08.060, the following standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	15		Y
Adjacent development matching setback	5 feet	0 feet	N
Trash Enclosure	50 feet from residential property	N/A	NA

ANALYSIS

- General Plan/ Land Use**

The property currently is currently categorized under the SC (Service Commercial) General Plan designation. Under the current land use hierarchy listed in the *Las Vegas Master Plan 2020: Land Use Element*, the SC land use category does not allow for the C-2 (General Commercial) Zoning District –a prerequisite for the Motor Vehicle Sales (New) use. The applicant has been operating this use as a legally licensed nonconforming use for over 40 years and has requested a General Plan Amendment in addition to this request for Rezoning as part of an overall effort to remap all five lots as a single commercial subdivision.

In addition to the requested General Plan Amendment and Rezoning applications at hand, additional applications for a Rezoning, Special Use Permit, Variance, and Site Development Review have been previously requested. These items have not received final action in efforts to coordinate all related requests at one time.

Staff supports this series of requested actions as it will remedy multiple administrative issues regarding the existing Motor Vehicle Sales use that covers over 19.5 acres.

- **Zoning**

The subject property is currently a non-conforming use, zoned R-3 (Multi-Family Residential), but operating as a part of an existing Motor Vehicle Sales use based out of the 444 South Decatur address. The applicant has made a request to amend the General Plan category to GC (General Commercial) which will allow for the subject property to be properly Rezoned to the C-2 (General Commercial) Zoning district. The applicant has applied for a Rezoning (ZON-19129), Site Development Plan Review (SDR-18206) and Special Use Permit (SUP-19129) on adjacent properties. The applicant intends to remap the five separate parcels into a one-lot commercial subdivision.

- **Chapter 19.16 Nonconforming Uses and Structures**

There is currently a non-conforming structure that is situated less than three feet from the western property line. According to the Clark County Assessor's office, this structure was built in 1964 and is assessed against the parcel (APN 138-36-601-006) located to the north of this property. The structure is approximately 1,000 square feet, approximately 15-feet tall, and is constructed of cinderblock painted blue and white. As the applicant has not made any statements regarding either expanding or redeveloping this non-conforming structure, or any other portion of this lot, and there is no anticipated changes regarding the current use staff has no objection to the request to rezone this property to the C-2 (General Commercial) Zoning District.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

With approval of the requested General Plan Amendment (GPA-20175) from the SC (Service Commercial) land use designation to the GC (General Commercial) land use designation of the General Plan, the proposed C-2 (General Commercial) zone will be consistent with the existing Motor Vehicle Sales (New) use.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed Rezoning is not expected to pose any changes other than to administratively correct the existing non-conforming use. Furthermore, the requested General Plan Amendment to the GC (General Commercial) land use designation and a Rezoning to the appropriate C-2 (General Commercial) zoning district, will allow for the proper remapping of a single commercial subdivision to occur.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

The Rezoning of this subject parcel to the C-2 (General Commercial) zoning District will allow the existing use to be consistent with the requirements of Title 19.04. This Rezoning will allow this property, along with four other associated parcels, to be properly mapped as a single commercial subdivision.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

No changes in the existing access are anticipated since no additional services or buildings have been proposed.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

14

ASSEMBLY DISTRICT 3

SENATE DISTRICT 3

NOTICES MAILED 229 by Planning Department

APPROVALS 0

PROTESTS 0